



APPROVED MINUTES

SUNNYVALE PLANNING COMMISSION

The Planning Commission met in regular session in the Council Chambers, City of Sunnyvale, 456 W. Olive Avenue, Sunnyvale, CA on **November 28, 2005** at 8:00 p.m. with Chair Hungerford presiding over the meeting.

ROLL CALL

Members Present: Chair Charles Hungerford; Vice Chair James Fussell; Commissioner Laura Babcock; Commissioner Larry Klein; Commissioner Chris Moylan; Commissioner David Simons; and Commissioner Brandon Sulser

Members Absent: none

Staff Present: Trudi Ryan, Planning Officer; Rebecca Moon, Assistant City Attorney; Andy Miner, Principal Planner; Ryan Kuchenig, Assistant Planner; and Deborah Gorman, Recording Secretary

SCHEDULED PRESENTATION

None

PUBLIC ANNOUNCEMENTS

None

CITIZENS TO BE HEARD

Tap Merrick, resident of Sunnyvale, said he attended the Planning Commission Study Session this evening regarding the Open Space and Recreation Sub-element. He lives near Peterson Field and has spent many years coaching and refereeing sports at Peterson Field. He encouraged the Planning Commission to consider including Peterson Field in the Open Space Plan.

Chair Hungerford said that the Planning Commission is scheduled to hear the Open Space and Recreation Sub-element item at the December 12, 2005 meeting.

APPROVAL OF MINUTES of November 14, 2005

ACTION: Vice Chair Fussell made a motion to approve the minutes of November 14, 2005 with modifications as requested by Comm. Simons. Comm. Sulser seconded the motion. Motion carried unanimously, 7-0.

PUBLIC HEARINGS/GENERAL BUSINESS

1. **2005-0641 – Cingular Wireless** [Applicant] **Fairbrae Swim Club** [Owner]: Application for related proposals on a 1.06-acre site located at **696 Sheraton Drive** (near Hollenbeck Ave) in an R-1 (Low-Density Residential) Zoning District. (Negative Declaration) (APN: 202-09-020) AM; **(Continued from November 14, 2005)**

- **Use Permit** to allow a new 62-foot tree-pole with six panel antennas and related ground equipment, and
- **Variance** from SMC Section 19.54.040(p) to allow an 87-foot setback from the residential properties across Sheraton Drive where 124 feet is required.

Comm. Moylan recused himself due to a conflict of interest; he is a member of the club.

ACTION: Comm. Babcock made a motion on 2005-0641 to adopt the Negative Declaration and approve the Use Permit with modified Conditions as provided by staff; to change COA 1.M. from Carlisle Way to Sheraton Drive; to modify the last sentence of COA 1.O. to read, "At no time shall equipment noise from any source exceed an exterior noise level of 50 decibels at nighttime and 60 decibels in the daytime at the property line." Vice Chair Fussell seconded. Motion carried 5-1, Comm. Simons dissenting, Comm. Moylan recused himself.

APPEAL OPTIONS: This item is appealable to City Council no later than December 13, 2005.

2. **2005-0928** – Application for a Design Review on a 9,176 square-foot site to allow a new two story single-family residence totaling 4,301 square feet where 4,050 square feet may be allowed without Planning Commission review. The property is located at **1382 Ramon Drive** (near Elizabeth Wy) in an R-1 (Low-Density Residential) Zoning District. (APN: 313-12-042) GC

ACTION: Comm. Klein made a motion on 2005-0928 to approve the Design Review and conditions as recommended by staff. Comm. Sulser seconded. Motion carried unanimously, 7-0.

APPEAL OPTIONS: This item is appealable to City Council no later than December 13, 2005.

3. **2005-0664** – Appeal of a decision by the Administrative Hearing Officer to deny a Variance from Sunnyvale Municipal Code section 19.34.030 to allow for a 264 square-foot accessory utility building with a 2.5-foot side-yard setback where 4 feet is required and a 2-foot rear-yard setback where 10 feet is required. The property is located at **885 Lakechime Drive** (near Silverlake Dr) in an R-0 (Low-Density Residential) Zoning District. RK

ACTION: Comm. Babcock made a motion on 2005-0664 to deny the appeal and uphold the Administrative Hearing Officer's decision to deny the Variance. Comm. Moylan seconded. Motion carried unanimously, 7-0.

APPEAL OPTIONS: This item is appealable to City Council no later than December 13, 2005.

4. **2005-0985** – Appeal of a Condition of Approval by the Director of Community Development to require modification to the proposed roof pitch for a Single Family Design Review located at **929 Lois Avenue** (near W Knickerbocker Dr) in an R-0 (Low-Density Residential) Zoning District. RK

ACTION: Comm. Babcock made a motion on 2005-0985 to grant the appeal and approve the Design Review without the condition to modify the roof pitch. Comm. Sulser seconded. Motion carried 5-2, Comm. Klein and Comm. Moylan dissenting.

APPEAL OPTIONS: This item is not appealable.

5. **2005-0026** – **Study Issue** Precise Plan for El Camino Real Update (**Also to City Council on December 13, 2005**)

ACTION: Comm. Simons made a motion on 2005-0026 to approve the Framework for the Update of the Precise Plan for El Camino Real (ECR) (Attachment E) which includes a vision statement, goals, policies and implementation actions, and further develop the features of the revised plan for subsequent adoption by City Council with minor changes, including the addition of the following language: reduce the amount of pavement along ECR with permeable surfaces where possible; to add consistent signage for address numbering; to clearly define the two gateways at the City entry points on ECR; to reference the Valley Transportation Agency pedestrian guidelines; to add ECR 2.h. (Attachment E, page 3) to encourage offices to be on the second floor, and ECR 2.i., to encourage pedestrian access and feel for first floor businesses along ECR; to clarify ECR DC 1 (Attachment E, page 5) to make sure it refers to large properties being subdivided being limited to a minimum of 2 acre lots; to add that landscaping elements along the street be large species native trees as appropriate; and to propose an additional node at Fair Oaks due to the large amount of high-density housing along the Fair Oaks corridor and the Community Center. Vice Chair Fussell seconded. Motion carried unanimously, 7-0.

APPEAL OPTIONS: This item is scheduled to be heard by the City Council on December 13, 2005.

NON-AGENDA ITEMS AND COMMENTS

- **STAFF ORAL COMMENTS**

City Council Meeting Report

Ms. Ryan said there has been one City Council meeting since the November 14, 2005 Planning Commission meeting. At the November 22, 2005 meeting the Council heard three items related to Planning. They considered an appeal of a church on East Arques that was denied by the Planning Commission. After considerable discussion and two 3-3 votes, the Council continued the item to the December 13, 2005 Council meeting when there should be a full Council present. The Council also considered the Murphy Avenue Streetscape revitalization plan. Staff had incorporated the recommendations of the Heritage Preservation and Planning Commissions into the staff recommendations. The Council adopted the staff recommendations. The third item considered (to be considered in the future by Planning Commission) was regarding an amendment to the Moffett Park Specific Plan for a study to allow an application to be filed for property located on Moffett Park Drive on one of the new parcels of the recently approved Lockheed subdivision. The study would be to consider changing the zoning from Moffett Park Industrial to Moffett Park Transit Oriented Development. The Council approved the staff recommendation to allow the study, but required that the application be accompanied by a development proposal due to the parcel's proximity to the light-rail.

Ms. Ryan said that an appeal of the Planning Commission decision has been received regarding two church applications on Weddell that were considered at the November 14, 2005 meeting.

Other Staff Oral Report

Ms. Ryan expressed her thanks to **Comm. Moylan** for his years of service on the Planning Commission and said that staff has enjoyed working with him.

- **COMMISSIONERS ORAL COMMENTS**

Comm. Moylan said that he was required to turn in a letter of resignation as of the end of this meeting (due to his election to City Council.) He thanked Ms. Ryan and staff for the extremely pleasant and professional way that they have worked with the Commission. He asked that his thanks be passed on to Joan Borger, Senior Assistant City Attorney, for her guidance and kindness in directing him on certain issues. As he joins the Council he said it is his impression that his interactions

with staff will be reduced due to Council/staff guidelines and how the Council communicates with staff. He said he is a little sad as he has enjoyed the interactions with staff.

Comm. Moylan also expressed his thanks to his fellow Commissioners. He said particularly he would like to thank this current group of Commissioners for their willingness to be innovative and to help push for positive changes in the City. He said several of the items he is proud to have been a part of are: the camouflaging of cellular antennas, the lowering of the height of the cinema at the mall, establishing guidelines of how the Planning Commission operates, providing two completely new ways to rank study issues, and the Commission recommendation to Council to endorse green buildings in Moffett Park. He feels that the Planning Commission should be as non-threatening and informal as possible for the citizens and he thinks this Commission has provided a good atmosphere for the public. He promised that as a Councilmember he will not casually overturn a decision that the Planning Commission has made as he knows the care that has been put into the decision. He encouraged the Commissioners to give him a call regarding issues that are close in votes and he will be happy to appeal the item as they now have another friend in City Hall. He invited everyone to the swearing-in ceremony tomorrow night, November 29, 2005 and invited anyone in the Council Chambers tonight to dinner directly following this meeting, his treat.

Chair Hungerford said the Commission has thoroughly enjoyed working with Comm. Moylan on the Commission. He said Chris has always been prepared, has good questions and good analytical skills. He said his degree of professionalism has been a very real contribution. Chair Hungerford said personally Comm. Moylan's precision in language has always been impressive. He offered his congratulations from the Commission on his moving on to the City Council and provided a plaque as a token of appreciation along with a current version of Robert's Rules of Order. Comm. Moylan said thank you.

INFORMATION ONLY ITEMS

ADJOURNMENT

With no further business, the Commission meeting was adjourned at 11:00 p.m.

Respectfully submitted,

Trudi Ryan
Planning Officer